

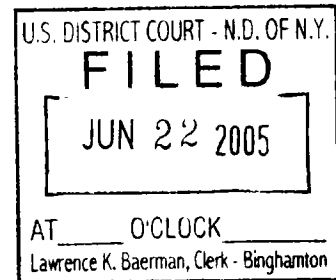
1:05 -CV- 779UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK----- x
JOHN T. CHASE,

Plaintiff,

-against-

04 Civ. 8228 (LAK)

FAMILY COURT JUDGE PAUL CZAJKA, et al.,

Defendants.
----- x**ORDER**LEWIS A. KAPLAN, *District Judge*.

On March 23, 2005, Chief Magistrate Judge Peck rendered a report and recommendation recommending that the complaint in this action be dismissed in its entirety under the *Rooker-Feldman* doctrine. One week later, the Supreme Court sharply limited the scope of that doctrine in *Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 125 S.Ct. 1517 (2005). The Court therefore remanded the motion to Judge Peck for reconsideration in light of *Exxon Mobil*. Judge Peck now has rendered a new report and recommendation, again recommending dismissal or, alternatively, transfer to the Northern District of New York on the ground of improper venue. Plaintiff has objected to dismissal but consents to transfer of the action to the Northern District.

As Judge Peck plainly is correct that venue is improper in this district, and given plaintiff's consent to transfer, this action is hereby transferred to the Northern District of New York. This ruling is without prejudice to the defendants' motion to dismiss and to plaintiff's objections to Judge Peck's reports and recommendations.

SO ORDERED.

Dated: June 8, 2005

A TRUE COPY**J. MICHAEL McMAHON, CLERK**BY *Tamara L. Velez***DEPUTY CLERK**

Lewis A. Kaplan
United States District Judge

Copies mailed *6/8/05*
Chambers of Judge Kaplan
lm

It is ORDERED that counsel to whom this Order is sent is responsible for faxing a copy to all counsel and retaining verification of such in the case file. Do not fax such verification to Chambers.

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